

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

ESN, LLC,	)	
	)	
Plaintiff,	)	<b>Civil Action No. 5:08-CV-20-DF</b>
	)	
v.	)	
	)	<b>Confidential – Subject to Protective</b>
<b>CISCO SYSTEMS, INC. and</b>	)	<b>Order. The Materials Contained Herein</b>
<b>CISCO-LINKSYS, LLC,</b>	)	<b>Have Been Designated Confidential And</b>
	)	<b>May Not Be Examined Except By The</b>
Defendants.	)	<b>Court or Pursuant to Court Order</b>

**PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE A BRIEF IN  
EXCESS OF THE PAGE LIMITATION SET FORTH IN LOCAL RULE CV-7**

ESN, LLC (“ESN”) respectfully moves for leave of Court to file a reply brief in support of its motion for discovery sanctions in excess of the page limit of Local Rule CV-7. Due to the numerous issues addressed in both ESN’s opening brief and Defendants’ opposition brief, ESN was unable to keep the reply within the page limit of Local Rule CV-7.

ESN used its best efforts to be as brief as possible; however the issues are very fact intensive and required significant detailed explanations. As a result, the fact section took four and a half pages. Also, responding to the case law cited by Cisco required detailed analysis and discussion. Consequently, argument section took up 6 and one half pages.

For the reasons stated herein, ESN respectfully requests that the Court grant ESN’s Motion for Leave to Exceed the Page Limitation Set Forth in Local Rule CV-7 by a little more than six pages, for a total of 11 and 1/3 pages.

Respectfully submitted,

**FOR PLAINTIFF, ESN, LLC:**

Dated: November 4, 2009

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**CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for ESN has complied with the meet and confer requirement in Local Rule CV-7(h). Cisco's counsel does not oppose this motion.

Dated: November 4, 2009

By: /s/ Gerald C. Willis  
Gerald C. Willis

## CERTIFICATE OF SERVICE

I hereby certify that on the date this proof of service is signed below, I served the foregoing:

### **PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE A BRIEF IN EXCESS OF THE PAGE LIMITATION SET FORTH IN LOCAL RULE CV-7**

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Date: November 4, 2009

/s/ Holly Mack